

## **REMARKS**

The following remarks are responsive to the Office Action mailed April 5, 2005. Claims 2, 5, and 18 are cancelled. Claims 20 and 21 are added. Claims 1, 3-4, 6-17, and 19-21 are currently pending in the above-identified application.

In the present Office Action, the Examiner rejected claims 1-5, 7-11 and 15-19, and objected to claims 6 and 11-14. Applicant herein amends claims 1, 3-4, 6, 11, and 15-17.

### **Amendment to the Specification**

Applicant amends the specification in order to provide correction. No new matter was added. Support for the amended language within paragraphs 50 and 57 can be found within Figure 5B.

### **Claim Rejections under 35 USC § 102**

The Examiner rejected claims 17-18 under 35 U.S.C. 102(e) as being anticipated by Sekiya et al. (U.S. Patent No. 6,590,686; hereafter "Sekiya"). Applicant respectfully traverses.

Applicant respectfully submits that amended independent claim 17 is patentable over Sekiya for at least the following reasons. Sekiya does not teach or suggest an optical transmission controller having "means for controlling the temperature of the laser module through bilateral communication between the laser module and the temperature controlling means, means for controlling an optical wavelength output by the laser module," (emphasis added). For at least these reasons, amended independent claim 17 is patentable over Sekiya. Claim 18, which depends from claim 17, is patentable for at least the same reasons as claim 17.

The Examiner rejected the claim 15 under 35 U.S.C. 102(b) as being anticipated by Kobayashi et al. (U.S. Patent No. 6,836,622; hereafter “Kobayashi”). Applicant respectfully traverses.

Applicant respectfully submits that amended independent claim 15 is patentable over Kobayashi for at least the following reasons. Kobayashi does not teach or suggest a method including “recovering a feedback signal relating to the optical output power signal having frequencies of the dither signal,” (emphasis added). In fact, Kobayashi appears to be silent with respect to the optical output power signal having frequencies of the dither signal. For at least these reasons, amended independent claim 15 is patentable over Kobayashi.

### **Claim Rejections under 35 USC § 103**

The Examiner rejected claims 1-4, 7-10, and 19 under 35 U.S.C. 103(a) as being unpatentable over Sekiya in view of Nagakubo (U.S. Patent No. 5,900,621). Applicant respectfully traverses.

Applicant respectfully submits that amended independent claim 1 is patentable over Sekiya in view of Nagakubo. Sekiya does not teach or suggest an optical transmission controller including a PID control algorithm with the details of the wavelength controller and controlling the temperature based on the predetermined wavelength signal. The Examiner indicated in the Office Action that this combination of features were allowable over the prior art of record. Further, Nagakubo does not cure this defect in the teachings of Sekiya. Nagakubo fails to disclose any reference to the PID control algorithm to control the temperature. For at least these reasons, amended independent claim one is patentable over Sekiya in view of Nagakubo. Claims 2-4 and 7-10, which depend from claim 1, are patentable for at least the same reasons as claim 1.

As shown above, amended independent claim 17 is patentable over Sekiya. Claim 19, which depends from claim 17, is patentable for at least the same reasons as claim 17.

The Examiner rejected claim 5 under 35 U.S.C. 103(a) as being unpatentable over Sekiya et al. in view of Nagakubo as applied to claims 1-2, further in view of Carlson et al. (U.S. Patent No. 6,285,476; hereafter “Carlson”) and Stapleton et al. (U.S. Reissue No. 35,716; hereafter “Stapleton”). In response to the Examiner’s indication of allowable subject matter within dependant claim 6, Applicant has canceled claim 5 and incorporated the elements of claim 5 within amended, independent claim 6.

The Examiner rejected claim 16 under 35 U.S.C. 103(a) as being unpatentable over Kobayashi. Applicant respectfully traverses.

Applicant respectfully submits that amended independent claim 16 is patentable over Kobayashi for at least the following reasons. Kobayashi does not teach or suggest a method including “recovering a feedback signal relating to the optical output power signal having frequencies of the dither signal,” (emphasis added). In fact, Kobayashi appears to be silent with respect to the optical output power signal having frequencies of the dither signal. For at least these reasons, amended independent claim 16 is patentable over Kobayashi.

### New Claims

New claims 20-21 have been added. New claims are supported by Figures 3 and 5A. Independent claim 20 requires an optical transmitter including a laser module, a wave-length controller, and a temperature controller wherein the laser module transmits a light based on data generated at the laser module, the wave-length controller, and the temperature controller. The prior art of record fails to disclose this combination of elements. Therefore, independent claim

20 is patentable over the prior art of record. Claim 21, which depends from claim 20, is patentable for at least the same reasons as claim 20.

**Allowable Subject Matter**

Applicant thanks the Examiner for indicating that claims 6 and 11-14 would be allowable if they included the features of the claims from which claims 6 and 11 depend. Applicant has amended claims 6 and 11 to be in independent form and to include the features of the claims from which claims 6 and 11 originally depended upon. Therefore, as indicated by the Examiner, claims 6 and 11 are allowable over the prior art. Claims 12-14, which depend on claim 11, are patentable for at least the same reasons as claim 11.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, L.L.P.

Dated: July 5, 2005  
By:   
Gary J. Edwards  
Reg. No. 41,008

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